

PETITIONER:

**THIS FORM MUST BE ATTACHED TO ALL COPIES
OF THE *RESTRAINING ORDER***

NOTICE TO RESPONDENT AND REQUEST FOR HEARING

TO RESPONDENT: A *RESTRAINING ORDER* HAS BEEN ISSUED BY THE COURT THAT AFFECTS YOUR RIGHTS. THE ORDER IS NOW IN EFFECT FOR 2 YEARS.

➤ Follow the instructions in the column checked below

<input type="checkbox"/> No hearing is scheduled If you want a hearing because you oppose the <i>Restraining Order</i> , including any parenting time or custody orders, fill out the attached <i>Request for Hearing</i> form. Mail or deliver your <i>Request</i> to the court address on Page 2 within 30 days after you received the order. The hearing will be held within 5 business days if you are contesting a custody order (not parenting time), or within 21 calendar days otherwise If you do not go to the hearing, the restraining order may remain in effect for 2 years. At the hearing, a judge will decide whether the order should remain in effect, be changed, or be dismissed.	<input type="checkbox"/> An Exceptional Circumstance hearing is scheduled A hearing is scheduled on: Date: _____ Time: _____ Courtroom: _____ The court has decided that there are exceptional circumstances affecting your children. Temporary custody will be decided at this hearing. If you want to be heard on any of the terms of the <i>Order</i> , you must appear at the date and time above. This will be your only chance to oppose the <i>Order</i> . If you do not go to the hearing, the <i>Restraining Order</i> may remain in effect for 2 years. If you want an earlier hearing than the date above, complete the <i>Request for Hearing</i> form below and mail or deliver it to the address on Page 2
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Enforceability of the Restraining Order

The *Restraining Order* you have received is in effect until the court changes (modifies) or dismisses it, or until it expires

If you are arrested for violating this order, the security amount (bail) is \$5,000, unless a different amount is ordered by the court

The order is enforceable in every county in Oregon. It is enforceable in all 50 states, the District of Columbia, tribal lands, and territories of the United States. This includes any order renewing or changing this order.

Violation of the Restraining Order

Violation of any part of this order (or any order renewing or changing this order) is contempt of court. Contempt is punishable by a fine of up to \$500 or 1% of your annual gross income, whichever is greater, or a jail term of up to six months, or both. Other penalties may also be imposed.

FIREARMS PROHIBITIONS APPLY!

Criminal Penalties for Firearms Possession ([ORS 166.255\(1\)\(a\)](#))

You will be subject to criminal penalties for possessing firearms or ammunition effective the earliest of:

(1) 30 days after you were served with the *Order*

Or, if you request a hearing:

(2) the date of the hearing if the *Order* is not dismissed *or*

(3) the date of the hearing if you fail to appear at the hearing *or*

(4) the date you withdraw your request for a hearing

Contempt Penalties for Firearms Possession

If the firearms prohibition in Section 18 of the *Restraining Order* is initialed by the judge:

- it is immediately unlawful for you to possess or purchase any firearm or ammunition under ORS 107.718(1)(h)
- you are subject to contempt of court for violation of the firearms prohibition as soon as you are served with or become aware of the *Order*
- criminal penalties may also apply

You may also be prohibited from serving in the Armed Forces of the United States or being employed in law enforcement. Violating this order may subject you to federal criminal charges.

If you have any questions about how these laws apply to you, talk to a lawyer.

IF YOU COMPLETE THE REQUEST FOR HEARING FORM, MAIL OR DELIVER IT TO (*address of court*): _____

REQUEST FOR HEARING
(To Be Completed By Respondent Only)

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _____

v.	Petitioner	Case No: _____
		REQUEST FOR HEARING

Respondent (Person to be restrained)	(Family Abuse Prevention Act)
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➤ I need an interpreter: ☐ Spanish ☐ ASL ☐ other: _____

I am the Respondent. I oppose the *Restraining Order* as follows and request a hearing if one is not already scheduled:

I oppose: (check all that apply)

- ☐ the order restraining me from contacting, threatening, or attempting to contact the Petitioner
- ☐ the custody order
- ☐ the parenting time order
- ☐ other: _____

☐ **An Exceptional Circumstances hearing is scheduled.** I understand this is my **only** chance to oppose the *Order*. I want an earlier hearing than the date scheduled.

I ☐ will ☐ will not be represented by an attorney at the hearing
Name and bar number of the attorney (if known): _____

☐ I will need Americans with Disabilities Act accommodations at the hearing

A *Confidential Information Form* (CIF) has been completed and filed with the court clerk containing all required information that is identified as confidential by UTCR 2.130 for Respondent

Submitted by: ☐ Respondent ☐ Attorney for Respondent

Date	Signature
Email	Name (printed)

Contact Address	City, State, ZIP	Contact Phone
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Attorney for Respondent:

Date

Signature

OSB#

Name (printed)

Address

City, State, ZIP

Phone